

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

MAIL STOP PATENT APPLICATION

COMMISSIONER FOR PATENTS

P.O. BOX 1450

ALEXANDRIA, VA 22313-1450

Transmitted herewith for filing is the continuing patent application of:**Inventor(s):** Allan D. McLean**For:** APPLE TREE NAMED 'MC 38'**Enclosed are:**

- ☒ 5 pages of specification, 1 pages of claims, and an abstract
- ☒ 3 sheet(s) (color photo copy of three original drawing sheets) (in duplicate).
- ☒ A copy of oath or declaration filed with the prior application (37 C.F.R. § 1.63(d))
- ☒ Preliminary Amendment
- ☒ A copy of a petition for extension of time, which is a separate paper being filed in a prior application.

Continuing Application:

- ☒ Continuation
- ☐ Divisional
- ☐ Continuation-in-part (CIP)

Information from Prior Application:

Prior Application Number: 10/081,731
 Filing Date: February 21, 2002
 Examiner: Susan B. McCormick
 Art Unit: 1661

FILING FEE					
	Claims	Number	Number		Basic Fee
For	Filed	Allotted	Extra	Rate	\$260.00
Total Claims	1	1	= 0	0	\$ 0.00
Independent Claims	1	1	= 0	0	\$ 0.00
TOTAL FILING FEE					\$260.00

- ☒ Small entity status is claimed for this application.
- ☒ Assignee for this application is or will be A.D. McLean Investments Pty. Ltd., and applicant requests this information be listed on the published application.
- ☒ The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied, is considered to be part of the disclosure of the accompanying application and is hereby incorporated by reference herein.

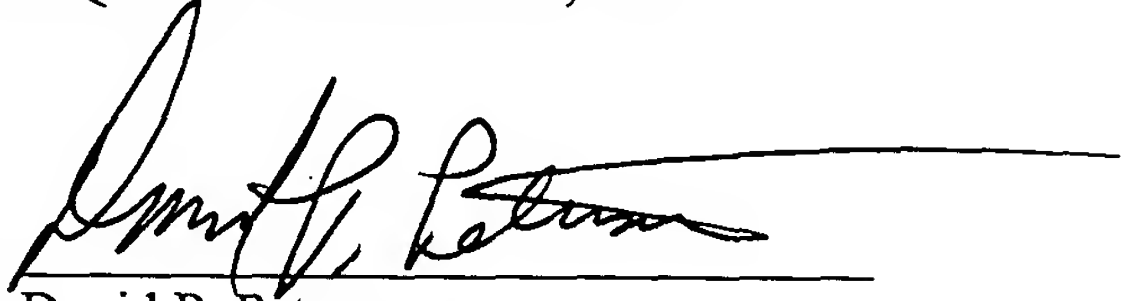
DPP:jab 9/9/03 218890.doc
Attorney Reference Number 6582-66871
PATENT

EXPRESS MAIL LABEL NO. EV339204626US
DATE OF DEPOSIT: September 9, 2003

☒ Please return the enclosed postcard to confirm that the items listed above have been received.

Respectfully submitted,

KLARQUIST SPARKMAN, LLP

By 
David P. Petersen
Registration No. 28,106

One World Trade Center, Suite 1600
121 S.W. Salmon Street
Portland, Oregon 97204
Telephone: (503) 226-7391
Facsimile: (503) 228-9446

cc: Docketing

COPY

DPP:jab 09/09/03 6582-59189 218869.doc

PATENT
Attorney Reference Number 6582-59189

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Allan D. McLean

Application No. 10/081,731

Filed: February 21, 2002

Confirmation No. 9443

For: APPLE TREE NAMED 'MC38'

Examiner: Susan B. McCormick

Art Unit: 1661

Attorney Reference No. 6582-59189

CERTIFICATE OF MAILING

I hereby certify that this paper and the documents referred to as being attached or enclosed herewith are being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450 on the date shown below.

Attorney
for Applicant(s)Date Mailed September 9, 2003

COMMISSIONER FOR PATENTS
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450

TRANSMITTAL LETTER

Enclosed is an Amendment for the above application. The fee has been calculated as shown below.

CLAIMS AS AMENDED						
For	No. after amendment	No. paid for previously	Present Extra	Rate	Fee	
Total Claims	1	- 1*	= 0	\$9.00	\$ 0.00	
Indep. Claims	1	- 3**	= 0	\$42.00	\$ 0.00	
Mult. Dep. Claims Fee (if not previously paid)				\$140.00		
One-month Extension of Time				\$55.00		
Two-month Extension of Time				\$205.00		
Three-month Extension of Time				\$465.00	\$465.00	
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$465.00	

* greater of twenty or number for which fee has been paid.

** greater of three or number for which fee has been paid.



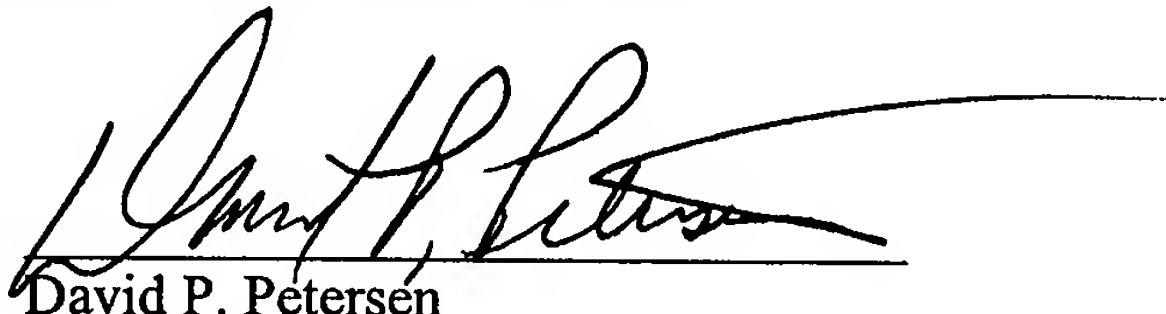
Applicant petitions for an extension of time for the number of months indicated above. If an additional extension of time is required please consider this a petition therefor.

- ☒ A check in the amount of \$465.00 is attached.
- ☒ Small entity status is claimed for this application.
- ☒ Please charge any additional fees that may be required in connection with filing this amendment and any extension of time, or credit any overpayment, to Deposit Account No. 02-4550. A copy of this sheet is enclosed.
- ☒ Please return the enclosed postcard to confirm that the items listed above have been received.

Respectfully submitted,

KLARQUIST SPARKMAN, LLP

By



David P. Petersen

Registration No. 28,106

One World Trade Center, Suite 1600
121 S.W. Salmon Street
Portland, Oregon 97204
Telephone: (503) 226-7391
Facsimile: (503) 228-9446

cc: Docketing